

I hereby certify that this correspondence is being sent by facsimile to the US Patent & Trademark office to phone no. 703-308 6916 on **MARCH 11, 2003**.

By _____

DKT NO.: BUN-8601

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITIONS OFFICE

MAY 09 2003

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION**

SIR:

Applicant first learned that the above application became abandoned for failure to respond to the Notice to Missing Parts of Nonprovisional Application ("Notice of Missing Parts") dated January 4, 2002 after a phone conference with the Office of Initial Patent examination on March 9, 2003. A response to the Notice of Missing Parts was due March 4, 2002.

Applicants undersigned attorney never received the above identified Notice of Missing Parts. Although Applicant has not yet received a formal Notice of Abandonment, Applicant requests that any holding of abandonment of the above application be withdrawn and that entry of the attached response to the notice of missing Parts be entered into the application.

Communications from the USPTO have been regularly received at the Pennsylvania office of the undersigned at the address shown on the Notice of Missing Parts for over five years.

The undersigned attorney reviews all communications from the USPTO and dockets due dates for response prior to entry into the file. The undersigned attests that a Notice of Missing parts was not received by mail for the above application. The attached docket sheet for the months of January, February and March 2002 shows that there is no entry for the above application (Docket No. BUN 8601). The undersigned has searched the file of the above application and the Notice of Missing Parts was not found.

The Office of Initial Patent Examination faxed a copy of the Notice of Missing Parts to the undersigned on March 10, 2003. A copy of the Notice of Missing Parts is attached. It appears that the Notice of Missing Parts was drafted to require payment of the filing fee and the submission of the Power of Attorney.

Enclosed is a Transmittal letter that forwards the required Power of Attorney. A Credit Card Payment Form for payment of the required filing fee in the amount of \$561 which represents the required filing fees for a small entity also is attached. Also attached is a Credit Card Payment Form for payment of the required petition fee in the amount of \$130.

It is respectfully requested that the holding of abandonment be withdrawn and that the enclosed power of attorney and the Credit Card Payment Form be entered into the application and that the application be forwarded for examination.

Respectfully Submitted,



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